



OFFICE OF THE POLICE COMMISSIONER
ONE POLICE PLAZA • ROOM 1400

CHAN

December 4, 2014

Memorandum for: Deputy Commissioner, Trials

Re: **Detective Gregory Larsen**
Tax Registry No. 925583
28 Precinct
Disciplinary Case No. 2012-8723

The above named member of the service appeared before Deputy Commissioner Rosemarie Maldonado on September 5, 2014, and was charged with the following:

DISCIPLINARY CASE NO. 2012-8723

1. Said Detective Gregory Larsen, while assigned to Narcotics Borough Bronx, on or about July 3, 2012, while on duty, in Bronx County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Detective Larsen made false statements in the Bronx Criminal Court Affidavit, arrest report worksheet, and property invoice of Person A indicating that said Detective Larsen observed Person A in possession of a controlled substance, which was not true.

P.G. 203-10, Page 1, Paragraph 5

**PUBLIC CONTACT –
PROHIBITED CONDUCT**

2. Said Detective Gregory Larsen, while assigned to Narcotics Borough Bronx, on or about August 2, 2012, while on-duty, in Bronx County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Detective Larsen made false statements in the Bronx County Grand Jury indicating that said Detective Larsen observed Person A in possession of a controlled substance, which was not true.

P.G. 203-10, Page 1, Paragraph 5

**PUBLIC CONTACT –
PROHIBITED CONDUCT**

3. Said Detective Gregory Larsen, while assigned to Narcotics Borough Bronx, on or about July 3, 2012, while on duty, in Bronx County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Detective Larsen made false and inaccurate statements in the arrest report of Person B indicating that said Detective Larsen observed Person B in possession of a controlled substance, which was not true.

P.G. 203-10, Page 1, Paragraph 5

**PUBLIC CONTACT –
PROHIBITED CONDUCT**

4. Said Detective Gregory Larsen, while assigned to Narcotics Borough Bronx, on or about July 3, 2012, while on duty, in Bronx County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Detective Larsen made inaccurate statements in the Criminal Court Affidavit of Person C indicating that said Detective Larsen recovered a controlled substance from Person C.

P P.G. 203-10, Page 1, Paragraph 5

**PUBLIC CONTACT –
PROHIBITED CONDUCT**

In a Memorandum dated November 12, 2014, Deputy Commissioner Rosemarie Maldonado found the Respondent Guilty of Specification Nos. 1, 2, and 3 and Not Guilty of Specification 4 in Disciplinary Case No. 2012-8723. Having read the Memorandum and analyzed the facts of this matter, I approve the findings, but disapprove the penalty.

Having considered the totality of issues and circumstances in this matter regarding the misconduct for which the Respondent has been found guilty, I have determined that the Respondent shall be immediately dismissed from the Department.


William J. Bratton
Police Commissioner



POLICE DEPARTMENT

November 12, 2014

MEMORANDUM FOR: Police Commissioner

Re: Detective Gregory Larsen
Tax Registry No. 925583
28 Precinct
Disciplinary Case No. 2012-8723

The above-named member of the Department appeared before me on September 5, 2014, charged with making false and/or inaccurate statements in criminal court affidavits, arrest report worksheets, a property invoice and/or the grand jury testimony in connection with three drug arrests made on July 3, 2012. (Charges and Specifications are attached) The Department was represented by Javier R. Seymore, Esq., Department Advocate's Office. Respondent was represented by Patrick V. Parrotta, Esq. The Advocate called one witness, Sergeant Scott Massoni, Internal Affairs Bureau, and presented video recordings as evidence. Respondent testified on his own behalf. A stenographic transcript of the trial record is available for the Police Commissioner's review.

After evaluating the testimony and evidence presented at the hearing, and assessing the credibility of the witnesses, this tribunal finds Respondent Guilty of Specifications 1, 2 and 3 and Not Guilty of Specification 4.

FINDINGS AND ANALYSIS

The following facts are undisputed. On July 2, 2012, Respondent was assigned to an undercover tactical narcotics buy-and-bust surveillance field team with Narcotics Borough Bronx. At approximately 1400 hours, Respondent and nine other officers were conducting an operation in the vicinity of [REDACTED] -- a Clean Halls building with surveillance cameras in the lobby, stairwells and second floor exterior

facing the entrance. Respondent was the arresting officer charged with filling out the criminal court affidavits, arrest worksheets and property invoices for nine arrestees including Person A, Person B and Person C. (Tr. 60, 65, 104)

At approximately 1400 hours, an undercover officer on the scene was attempting to buy crack cocaine in the area. He was steered to an individual who made a phone call and walked him to [REDACTED] Person D participated in the sale of crack cocaine to the undercover officer. (Tr. 24-26, 68) At approximately 1414 hours, Person A and Person B were pacing the lobby of [REDACTED] (Dep. Ex. 2; Tr. 22-23) Person B later admitted that he entered the lobby to purchase drugs. (Tr. 24) Soon thereafter, Person D entered the lobby where Person A and Person B were situated followed by Sergeant Patricio Ovando, the enforcement team supervisor. Sergeant Ovando directed Person D, Person A and Person B out of the lobby. They complied. Person A exited the building carrying a backpack in his right hand. (Tr. 26-27, 29; Dep. Ex. 2). Sergeant Ovando detained them and contacted members of the enforcement team to move in to assist with the arrests. (Tr. 30, 68)

During this time, Respondent had been situated at a surveillance post in an unmarked vehicle watching the activity on [REDACTED]. Sergeant Ovando told him to move in to effectuate the arrest of Person D. When Respondent approached [REDACTED] Person B was outside and Person A was standing in the exterior doorway with his backpack. Person A eventually put that backpack on the ground. Person A's backpack contained a prescription drug bottle with 24 oxycodone pills. On or about 1424 hours, Detective Roberts took Person A into custody. Respondent handcuffed Person D and Person B. When he frisked Person D, a bag of crack cocaine fell out of his waistband and onto the ground. A few minutes later, Respondent reappeared on the video, picked up Person A's bag and then bent down to pick up the prescription pill bottle by the exterior entryway. (Tr. 31, 36-39, 74-76, 94-97, 101-103, 132; Dep. Exs. 2, 11)

Person D, however, did not have shoes on when he was apprehended and requested that the officers retrieve them from [REDACTED] Three officers, including Respondent, were allowed into the apartment where 10 twists of alleged crack cocaine and a glass pipe were observed in plain view.

Four people inside the apartment, including Person C, were placed under arrest. (Tr. 41, 77-78) Person C was found to have illegal drugs on his person. (Tr. 79) [REDACTED]

[REDACTED] (Tr. 88, 104-105)

As the arresting officer, Respondent was responsible for processing the paperwork for all nine individuals arrested during this operation. This entailed fingerprinting and preparing the online booking sheets and vouchers. In addition, he was responsible for communicating with the District Attorney's Office, finalizing the criminal court complaints and testifying before the grand jury, if necessary. (Tr. 42, 110)

Because he was assigned to guard a prisoner at Jacobi Hospital after the arrests, he spoke to the Bronx District Attorney's Office via phone and completed some forms via fax. He did not have all of his paperwork with him at the time (Tr. 88, 104-106) Respondent testified that he was exhausted after having had only a 7 hour break between a 17 hour and a 29 hour tour. (Tr. 92-93, 106) He testified before the grand jury in the Person A case on August 2, 2012 (tr. 110)

Sergeant Scott Massoni commenced an Internal Affairs investigation after being contacted by Maureen Grosdidier, an Assistant District Attorney from the Bronx Rackets Bureau. Ms. Grosdidier opined that the events depicted in the building's surveillance video did not correspond with certain facts reported by Respondent in his criminal court affidavit and his grand jury testimony. (Tr. 17) Sergeant Massoni was informed that the charges against Person A were dismissed; the District Attorney's Office declined to prosecute Person B; and, Person C pled guilty to criminal possession of a controlled substance. (Tr. 54)

Specifications 1 and 2: Arrest of Person A

At issue is whether Respondent made false statements at the grand jury and in the criminal court affidavit, arrest work sheet and property invoice he prepared by "indicating that [he] observed Person A in possession of a controlled substance, which was not true." As stated above, it is undisputed that Person A was in possession and control of a backpack containing a prescription drug bottle with oxycodone pills and that he placed that bag on the ground at the entrance of the exterior vestibule [REDACTED]

█████ while Respondent was in the area. What is in dispute is whether Respondent saw that prescription pill bottle in plain view and whether he saw Person A throw it to the ground. Specifically, this tribunal is being asked to assess the veracity of the following written statements made by Respondent:

- Arrest Report:
At TPO A/O observed the above defendant in possession of a large quantity of an alleged controlled substance in plain public view. (Dep. Ex. 3)
- Invoice:
At TPO the above property is being vouchered as arrest evidence. The above property was recovered from sidewalk which above defendant place to the ground with right hand upon approach. (Dep. Ex. 4)
- Criminal Court Affidavit:
Deponent states that, at the above time and place he observed defendant engaged in a conversation with a male individual and further observed defendant to have in his possession in his right hand which he threw to the ground one orange pill bottle containing 24 yellow oval pills. (Dep. Ex. 5)
- Grand Jury Testimony:
Question: Could you briefly describe the circumstances that led up to Person A's arrest?
Answer: I observed Person A in what I believe was a narcotic-related conversation with another apprehended individual. As I approached the two individuals, I observed Person A throw a prescription bottle containing 24 pills of oxycodone to the ground and in my plain view. (Dep. Ex. 6)

At trial the Department Advocate argued that Respondent could not have made the above stated observations because the prescription pill bottle at issue was in Person A's backpack and at no time during this operation did Person A hold it in his right hand and throw it to the ground in plain view. The Department Advocate further maintains that omitting the backpack from the above narratives, and failing to state that another officer found the bottle of oxycodone, were intentional falsehoods and not mere mistakes. To support the charges, the Department Advocate produced the building's interior and exterior surveillance videos, and the testimony of the Internal Affairs investigator, Sergeant Massoni. According to this evidence:

Interior Surveillance Camera

- Person A entered the lobby ██████ carrying a backpack on his back and holding a drinking bottle and what looks like a pack of cigarettes in his

hands. As he placed the backpack on the interior stairs, the backpack's content was not visible. Person B followed him into the lobby. (Tr. 23, 27-28; Dep. Ex. 2 14:14:30-14:14:50) According to Sergeant Massoni, Person B admitted entering the lobby to purchase drugs (Tr. 24)

- Person A looked into the lobby mirror, placed the cigarette pack in his pocket wiped his brow and drank from a drinking bottle with a Person A cap on it. He then placed the bottle in the side pocket of his backpack. The bottle appeared to be the size of a standard water bottle. No other items in the backpack were visible. Person A easily placed the bottle in the pocket. (Dep. Ex. 2 14:14:56-14:16:02)
- Person D, who had participated in the drug sale to the undercover agent, walked down the stairs and is seen waiting by the door in his stocking feet for a third sale subject. Soon thereafter, Sergeant Ovando opened the door and ordered all three to exit the lobby. They all complied. Person A picked up his backpack, with the plastic bottle still in the outer pocket, stood in the exterior entryway of the building and placed the backpack to his right on the ground. Person A then picked up the backpack and stepped onto the sidewalk. (Tr. 25-27, 31, 100; Dep. Ex. 2 14:16:45-14:18:42)

Exterior Surveillance Camera

- Person A is seen entering the building [REDACTED] carrying the backpack on his back. From this angle, the content of the backpack is not visible. Person B also enters the building. (Tr. 28; Dep. Ex. 2 14:14:25-14:14:32)
- After Person A, Person B and Person D exit, they wait with Sergeant Ovando outside [REDACTED] Sergeant Ovando uses his phone to contact the field team. Person A stands in the exterior doorway of the building and although his body is not completely visible to the camera, his is standing up with both hands visible as he smokes from 14:18:50 hours until 14:19:28 hours. (Tr. 29-30; Dep. Ex. 2 14:18:40-14:19:28)
- Detective Pedro Lopez and Respondent enter the scene at approximately 14:19:23 hours. Respondent is engaged with the arrest of Person D but at approximately 14:19:27 hours he points in the direction of Person A who is still standing in the exterior vestibule. It is after Respondent points at Person A that Person A steps back into the vestibule, his right hand no longer visible to the camera, he bends to the right, stands up straight and walks to the sidewalk with his backpack in his right hand (Tr. 30-31, 65-69; Dep. Ex. 2 14:19:22-14:19:32)
- Detective Lopez takes possession of the backpack and searches it. (Tr. 32-33; Dep. Ex. 2 14:19:34) Detective Lopez puts the bag down inside the exterior vestibule and with his back to the camera seems to continue to search the backpack. (Dep. Ex. 2 14:19:40) A few moments later, Detective Lopez recovers a smaller bag from within the backpack. (Tr. 33; Dep. Ex. 2 14:19:57) He retrieves what looks like a prescription pill bottle from that smaller bag and hands

it to someone standing in the exterior vestibule. The interior camera confirms that Sergeant Ovando is standing in the exterior vestibule at that time. A moment later the exterior camera shows Sergeant Ovando walk from the vestibule onto the sidewalk with what seems to be a prescription pill bottle in his hand. Person A is handcuffed by Detective Roberts. (Tr. 33-36 74-75, 84; Dep. Ex. 2 14:20:13-14:20:50)

- When Respondent returns to the entryway of 2255 Morris Avenue about three minutes after Person A was cuffed. He picks up Person A's backpack and looks inside. (Tr. 37-38, 76; Dep. Ex. 2 14:27:00) Respondent then leans into the vestibule to pick up what seems to be the prescription pill bottle. He leans into the vestibule again and picks up the small bag. As he leaves the scene he gives the backpack to Detective Roberts. (Tr. 36-40, 76-77; Dep. Ex. 2 14:27:22-14:28:00)

The preponderance of the credible evidence, including the surveillance videos and the testimony of Sergeant Massoni, supports a finding that Respondent made false statements in the criminal court affidavit, arrest worksheet, property invoice and grand jury testimony relating to Person A's arrest. In sum, Respondent simplified what occurred on the scene and then seems to have devised a new version of events to support what was captured on the video.

Although it is likely that Respondent saw Person A put his backpack on the ground, the videos and Sergeant Massoni's investigation results disprove Respondent's original statements that the circumstances leading up to Person A's arrest were that he: "observed" the prescription pill bottle "in plain view;" that he "observed defendant to have [the pill bottle] in his possession in his right hand;" that he saw Person A "place" or "threw" the pill bottle "to the ground" from his right hand; or that he "recovered" the pill bottle "from the sidewalk." (Dep. Exs. 4, 5, and 6) In fact, at the point that Respondent claims he saw Person A place his backpack on the ground in the vestibule, Person A had already been detained by Sergeant Ovando. Omitting any mention of Person A's backpack, that the illegal pills were recovered by another officer from within that backpack, or that the pills were in plain view on the ground after they had already been recovered by another officer, clearly simplifies the criminal case against Person A. These inaccuracies are particularly problematic when presented in a criminal court affidavit and repeated before a grand jury.

Not only does the evidence fail to support the above statements in Respondent's original narrative, it also fails to support Respondent's revised version of events. After viewing the videos at trial and at his July 22, 2013, Departmental interview, Respondent acknowledged that he may have made "mistakes" and conceded that he did not actually see Person A hold a prescription drug bottle in the palm of his hand. (Tr. 96-97, 101- 103, 114-119, 123-124, 128-129 146; Dep. Ex. 11 p. 45-46, 50-55) Respondent asserts that what he actually saw was the prescription pill bottle in plain view in the outside pocket of Person A's backpack as he threw the backpack to the ground. (Tr. 113) The surveillance video and Sergeant Massoni's testimony, however, confirm that the prescription drug bottle was found within Person A's backpack and was not in plain view.

At trial, Respondent attempted to support this new assertion by testifying that at approximately 14:19:23-32 hours, the video captured him pointing at Person A standing in the vestibule and he told the enforcement team, "He has drugs, cuff him." (Tr. 101-102) The evidence does not support this assertion. First, Respondent did not make this assertion during his Departmental interview. Second, at that moment on the video, Sergeant Ovando had already detained Person A, Person D and Person B and had called the team, including Respondent, to assist with the arrests. Third, according to the interior camera, Person A placed his backpack on the ground at about 14:18:40 hours. In addition, both of his hands were visible to the exterior camera from approximately 14:18:45 hours until 14:19:45 hours, which was after Respondent pointed in Person A's direction. In short, Respondent's narrative is not supported by the video. Accordingly, Respondent is found to be Guilty of Specifications 1 and 2.

Specification 3: Arrest of Person B

Respondent is charged with making "false and inaccurate statements in the arrest report of Person B indicating that he observed Person B in possession of a controlled substance which was not true." Specifically, this tribunal is being asked to assess the veracity of the following statement written by Respondent in the arrest report:

At TPO arresting officer observed the above def, I/O a bonafide designated clean halls location building lobby w/o permission or authority to do so. Additionally the def was loitering for the purpose of narcotics. Furthermore def was found in

the reachable grabable area of a large quantity of narcotics (oxycodone & crack/cocaine) in plain view. (Dep. Ex. 7)

Respondent's reported observations were the basis for charging Person B with criminal possession and criminal sale of a controlled substance. (Tr. 132-133; Dep. Ex. 7) The evidence presented at trial substantiates Specification 3 insofar as the following statement in the arrest report is inaccurate: "def was found in the reachable grabable area of a large quantity of narcotics (oxycodone & crack/cocaine) in plain view."

Respondent testified that he observed Person B and Person A talking in front [REDACTED] and believed that they were acting in concert for purposes of engaging in illegal narcotics related activity. (Tr. 96, 133-137) Respondent arrested Person B but found no illegal drugs in his possession. (Tr. 131, 133) Respondent explained that the "reachable" and "grabable" narcotics "in plain view" he noted in the arrest report referred to the oxycodone pills Person A carried in his backpack and the crack cocaine Respondent found in Person D's waistband. (Tr. 132, 140; Dep. Ex. 11 p. 56)

Respondent's description of the facts leading to Person B's arrest is a mischaracterization of what actually occurred. Sergeant Massoni affirmed that nothing in the video, or the interviews he completed, supported Respondent's drug related charges against Person B. (Tr. 86) This tribunal agrees. As discussed above, the oxycodone pills in Person A's possession were not in plain view. Similarly, the crack was hidden in Person D's waistband. It is concerning that Respondent charged Person B with criminal possession and criminal sale based on narcotics that others were concealing—particularly those that fell to the ground, close to where Person B had been ordered to stand, as a result of Respondent's frisk of a third person's waistband. Accordingly, this tribunal finds Respondent Guilty of the misconduct set forth in Specification 3.

Specification 4: Arrest of Person C

Respondent is charged with making "inaccurate statements in the criminal court affidavit of Person C indicating that he recovered a controlled substance from Person C." The criminal court affidavit states in pertinent part:

Observed defendant to have on his person, in his right pants pocket, three plastic twists each containing a Person A rock like substance. Deponent states that based upon deponent's training and experience, which includes training in the

recognition of controlled substance and its packaging, the aforementioned substance is alleged and believed to be crack cocaine. (Dep. Ex. 10)

The Department Advocate contends that this statement is inaccurate because: the drugs were recovered by another detective, not Respondent; they were found in his waistband, not his pocket; and, Respondent did not observe when the drugs were recovered. This tribunal agrees that Respondent's written account is inaccurate with respect to the first two statements, but not with respect to the observation. I do not find, however, that the Department Advocate proved that these inaccuracies constitute misconduct.

As discussed above, it is undisputed that Respondent and three other officers had permission to enter apartment [REDACTED] to retrieve Person D's shoes. It is further uncontested that when the officers entered the apartment there were narcotics in plain view and that they arrested four individuals in the apartment, including Person C

At trial, Respondent admitted he made a mistake in the criminal court affidavit and that his partner, Detective Josue Perez actually recovered the drugs from Person C's waistband. (Tr. 141-142, 143-144; Dep. Ex. 11 p. 66-70) He points out that the voucher he prepared for Person C's property correctly states that the drugs were recovered from the waistband and that he made the mistake because he was doing the arrest paperwork from the hospital and was trying to complete the documentation for nine separate arrests. Respondent asserts, however, that he did actually see the drugs that Detective Perez recovered from Person C. (Tr. 143-144; Dep. Ex. 9)

This tribunal credits Respondent's testimony that he was present at the scene of the apartment and personally observed what was retrieved from Person C. Furthermore, I find that the inaccuracies contained in the criminal court affidavit were mistakes made without the intent to deceive.

PENALTY

In order to determine an appropriate penalty, Respondent's service record was examined. See *Matter of Pell v. Board of Education*, 34 NY 2d 222 (1974). Respondent was appointed to the Department on March 1, 2000. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum.

The Department Advocate recommended that Respondent be dismissed from the Department. This tribunal agrees that police officers must be held to a high standard of truth and that the public has a right to expect integrity from police officers' written reports and testimony. Based on the facts that were adduced at this hearing regarding the circumstances surrounding Respondent's misconduct, and based on the penalties that have been imposed in previous cases involving similar misconduct, I recommend that a penalty short of immediate separation from the Department be imposed.

This case presents a number of mitigating factors. Respondent was the arresting officer for nine prisoners. Completing the paperwork for this relatively large number of individual arrests would be a challenge for many officers under the best of circumstances. As Respondent pointed out at the hearing, Patrol Guide Procedure number 213-06, although not applicable to this case, is instructive in that it recommends that "every effort will be made to have arresting/assigned officers process no more than five prisoners...."

Here, Respondent spoke to the Bronx District Attorney's Office and completed the criminal court affidavits and other paperwork while guarding a prisoner [REDACTED]. Respondent credibly described the circumstances as "chaotic." I also credited Respondent's uncontested testimony that when the Assistant District Attorney contacted him on his cell phone at the emergency room he did not have all the needed paperwork with him. (Tr. 105-106) Furthermore, it was uncontested that Respondent was processing these arrests after working a 17 hour tour, with only a seven hour break and was on what would turn out to be a 29 hour tour. Although these circumstances do not justify the inclusion of false or inaccurate statements in official reports, it is appropriate to take them into account when recommending a penalty.

It is also relevant that with respect to the Person A case, Respondent was in a position to actually see Person A put down his backpack. In addition, when Respondent actually returned to the scene it is undisputed that he did pick up his prescription pill bottle from the ground close to the location where Person A had placed his backpack. Although his statements on official documents were clearly false, given that he made some of these statements in written documents while stationed at a hospital emergency room, some segments of these inaccuracies may have been partially influenced by confusion or a fractional memory of events.

A penalty short of termination is also consistent with penalties that have been imposed in previous cases involving false reports. For example, in Disciplinary Case No. 81306/05 (signed on 4/27/10), a 14-year officer with one prior disciplinary adjudication forfeited 60 days (consisting of 31 vacation days and 29 days served on pre-trial suspension) and was placed on dismissal probation after he was found guilty of a number of charges including falsely testifying to a grand jury that during a narcotics operation he had personally made cocaine purchases. In Disciplinary Case No. 82558/07 (signed on 2/11/08), a 13-year officer who had no prior disciplinary record negotiated a forfeiture of 30 vacation days and dismissal probation after he pleaded guilty to falsely swearing in a criminal court affidavit, and falsely stating at an official Department interview, that he was present at the scene of an arrest when the truth was that he was assigned the arrest for processing at another location. In Disciplinary Case No. 84991/09 (signed on 10/2/09), a 17-year member who had no prior disciplinary record negotiated a forfeiture of 30 vacation days after he pleaded guilty to making a sworn false statement in a criminal court affidavit attesting that he had recovered drugs from the defendant when he had not personally recovered the drugs, and falsely testifying under oath in court that he had personally recovered the drugs.

In recommending a penalty, this tribunal notes that although Respondent has been an MOS for 14 years, and has received an overall rating of 4.0 "Highly Competent" on his last three annual performance evaluations, he has been the subject of two prior disciplinary actions resulting in penalties. In 2004, he forfeited five vacation days after being found guilty at trial of issuing a summons without sufficient legal authority. In 2010, he forfeited 15 vacation days after pleading guilty to providing a CCRB

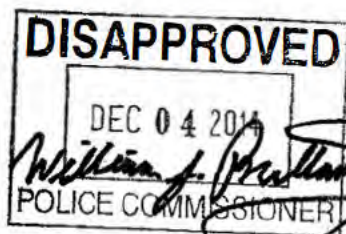
investigator with copies of a sealed arrest report without proper authorization and making an inquiry in a Department computer that was unrelated to the official business of the Department. In addition, he has been on Level II Discipline Monitoring since April 2014.

Accordingly, it is recommended that the Respondent be DISMISSED from the New York City Police Department, but that the penalty of dismissal be held in abeyance for a period of one year pursuant to section 14-115 (d) of the Administrative Code, during which time he remains on the force at the Police Commissioner's discretion and may be terminated at any time without further proceedings. It is further recommended that the Respondent be suspended without pay for 30 days and that he forfeit 30 vacation days.

Respectfully submitted,



Rosemarie Maldonado
Deputy Commissioner Trials



Charges and Specifications

1. Said Detective Gregory Larsen, while assigned to Narcotics Borough Bronx, on or about July 3, 2012, while on duty, in Bronx County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Detective Larsen made false statements in the Bronx Criminal Court Affidavit, arrest report worksheet, and property invoice of Person A indicating that said Detective Larsen observed Person A in possession of a controlled substance, which was not true.

P.G. 203-10, Page 1, Paragraph 5 – PUBLIC CONTACT
PROHIBITED CONDUCT

2. Said Detective Gregory Larsen, while assigned to Narcotics Borough Bronx, on or about August 2, 2012, while on-duty, in Bronx County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Detective Larsen made false statements in the Bronx County Grand Jury indicating that said Detective Larsen observed Person A in possession of a controlled substance, which was not true.

P.G. 203-10, Page 1, Paragraph 5 PUBLIC CONTACT
PROHIBITED CONDUCT

3. Said Detective Gregory Larsen, while assigned to Narcotics Borough Bronx, on or about July 3, 2012, while on duty, in Bronx County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Detective Larsen made false and inaccurate statements in the arrest report of Person B indicating that said Detective Larsen observed Person B in possession of a controlled substance, which was not true.

P.G. 203-10, Page 1, Paragraph 5 PUBLIC CONTACT
PROHIBITED CONDUCT

4. Said Detective Gregory Larsen, while assigned to Narcotics Borough Bronx, on or about July 3, 2012, while on duty, in Bronx County, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department in that said Detective Larsen made inaccurate statements in the Criminal Court Affidavit of Person C indicating that said Detective Larsen recovered a controlled substance from Person C.

P.G. 203-10, Page 1, Paragraph 5 PUBLIC CONTACT
PROHIBITED CONDUCT

POLICE DEPARTMENT
CITY OF NEW YORK

From: Deputy Commissioner Trials
To: Police Commissioner
Subject: CONFIDENTIAL MEMORANDUM
DETECTIVE GREGORY LARSEN
TAX REGISTRY NO. 925583
DISCIPLINARY CASE NO. 2012-8723

Respondent received an overall rating of 4.0 "Highly Competent" on his last three annual performance evaluations. He has been awarded four medals for Excellent Police Duty and two for Meritorious Police Duty. [REDACTED]

Respondent has been the subject of three prior adjudications. In 2004, he forfeited five vacation days after being found guilty at trial of issuing a summons without sufficient legal authority. In 2007, he was charged with using excessive force in effecting an arrest but was found not guilty at trial. In 2010, he forfeited 15 vacation days after pleading guilty to providing a CCRB investigator with copies of a sealed arrest report without proper authorization and making an inquiry in a Department computer that was unrelated to the official business of the Department. Respondent has been on Level II Discipline Monitoring since April 2014.

For your consideration.



Rosemarie Maldonado
Deputy Commissioner Trials